

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE LIBOR-BASED FINANCIAL  
INSTRUMENTS ANTITRUST LITIGATION

Master File No. 11-md-2262 (NRB)

THIS DOCUMENT RELATES TO:

METZLER INVESTMENT GmbH, et al.,

No. 11 Civ. 2613

Plaintiffs,

v.

CREDIT SUISSE GROUP AG, et al.

Defendants.

**EXCHANGE-BASED PLAINTIFFS' NOTICE OF MOTION FOR FINAL  
APPROVAL OF CLASS ACTION SETTLEMENTS WITH DEFENDANTS  
BANK OF AMERICA, BARCLAYS BANK PLC, CITI, DEUTSCHE BANK,  
HSBC BANK PLC, JPMORGAN AND SOCIÉTÉ GÉNÉRALE**

**TO: ALL PARTIES AND THEIR RESPECTIVE COUNSEL OF RECORD**

**PLEASE TAKE NOTICE**, that on September 17, 2020, at 11:00 a.m., at the United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, New York, New York 10007, in the Courtroom of the Honorable Naomi Reice Buchwald, or on the date, time, location as modified by the Court, Exchange-Based Plaintiffs will, and hereby do, move the Court, pursuant to Federal Rule of Civil Procedure 23(e), for an Order: (a) granting final approval to the Settlements with Bank of America Corporation and Bank of America, N.A. (collectively, “BOA”), Barclays Bank plc (“Barclays”), Citigroup Inc., Citibank, N.A., and Citigroup Global Markets Inc. (collectively, “Citi”), Deutsche Bank AG, Deutsche Bank Securities Inc., and DB Group Services (UK) Ltd. (collectively, “Deutsche Bank”), HSBC Bank plc (“HSBC”), JPMorgan Chase & Co. and JPMorgan Chase Bank, N.A. (collectively, “JPMorgan”) and Société Générale (“SG”);<sup>1</sup> (b) certifying the Settlement Classes; (c) granting final approval to the Revised Plan of Distribution; (d) appointing Lovell Stewart Halebian Jacobson LLP and Kirby McInerney LLP as Settlement Class Counsel for the Settlement Classes; and (e) granting final approval to the class notice; and for such other and further relief as the Court deems appropriate.

Submitted herewith in support of Exchange-Based Plaintiffs’ Motion for Final Approval of Settlements with BOA, Barclays, Citi, Deutsche Bank, HSBC, JPMorgan and SG are: (i) Exchange-Based Plaintiffs’ Memorandum of Law in Support of Motion for Final Approval of Class Action Settlements with Defendants Bank of America, Barclays Bank plc, Citi, Deutsche Bank, HSBC Bank plc, JPMorgan and Société Générale; (ii) the Joint Declaration of David E. Kovel and Christopher Lovell in Support of (A) Exchange-Based Plaintiffs’ Motion for Final

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<sup>1</sup> “Settling Defendants” refer to BOA, Barclays, Citi, Deutsche Bank, HSBC, JPMorgan and SG.

Approval of Class Action Settlements with Defendants Bank of America, Barclays Bank plc, Citi, Deutsche Bank, HSBC Bank plc, JPMorgan and Société Générale; and (B) Exchange-Based Plaintiffs' Counsel's Motion for an Award of Attorneys' Fees, Reimbursement of Litigation Expenses, and Service Awards for Named Plaintiffs; and (iii) a proposed final approval order for each respective settlement with the Settling Defendants.<sup>2</sup>

Dated: August 13, 2020  
New York, New York

**KIRBY McINERNEY LLP**

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*Co-Interim Lead Counsel for the Exchange-Based  
Plaintiffs and the Settlement Classes*

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<sup>2</sup> Plaintiffs will submit the list of opt-outs described in exhibit A to the proposed final approval orders after the August 27, 2020 opt-out deadline.

**CERTIFICATE OF SERVICE**

I hereby certify that on August 13, 2020, I caused the foregoing, along with the accompanying memorandum and declaration in support, to be electronically filed with the Clerk of the Court using CM/ECF system, which will automatically send email notification of such filing to the attorneys of record registered in the CM/ECF system.

Dated: August 13, 2020

/s/ David E. Kovel  
David E. Kovel